

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

CVS, INC.,

Plaintiff,

v.

C.A. No. 05-171T

BENEFICIAL HOLDINGS, INC.,  
BENEFICIAL HEALTH SYSTEMS, INC.,  
BENEFICIAL NUTRACEUTICALS, INC.,  
INTEGRATED BIOPHARMA, INC., and  
CONTEMPORARY MARKETING, INC.,

Defendants.

ORDER


For reasons stated in open court, Plaintiff CVS, Inc.'s Consent Motion to Voluntarily Dismiss its action against Defendant Contemporary Marketing, Inc. ("CMI") is hereby GRANTED. The motion is granted without prejudice to the claims that Defendants Beneficial Holdings, Inc., Beneficial Health Systems, Inc., and Beneficial Nutraceuticals, Inc. (collectively, "Beneficial") have asserted against CMI. The motion is granted with prejudice in all other respects.

For reasons stated in open court, CMI's Motion to Dismiss Beneficial's Cross-Claim against it is hereby DENIED.

By Order

  
Deputy Clerk

ENTER:

  
Ernest C. Torres  
Chief Judge

Date: 3/23/06